



Attorney Docket No. 01582/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): TAKAHAMA et al.
Serial No. : 09/955,857
Filed : May 12, 2001
For : INVERTO MICROSCOPE
Art Unit : 2872
Examiner : ROBINSON, M.A.

**INFORMATION DISCLOSURE STATEMENT
WITH STATEMENT UNDER 37 CFR 1.97(e)
AND STATEMENT UNDER 37 CFR 1.704(d)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Submitted herewith are the following:

- (1) Copy of a European Search Report issued in the counterpart European application;
- (2) Copies of USP 3,709,582, USP 4,626,906, and DE 196 35 666 C (all of the other references cited in the attached European Search Report were previously cited and were previously listed on Forms PTO/SB/08A or 08B); and
- (3) Form PTO/SB/08A. It is requested that an initialed copy of the Form PTO/SB/08A be returned to indicate that the publications listed therein have been considered and made of record.

CERTIFICATE OF MAILING

I hereby certify this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date noted below.

N. Sahadeo

Nalini P. Sahadeo

Dated: July 10, 2003

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 06-1378.

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Said communication is in English, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609 III A(3)).

STATEMENT UNDER 37 CFR 1.97(e)(1)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of June 20, 2003. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

STATEMENT UNDER 37 CFR 1.704(d)

Each item of information contained in this Information Disclosure Statement was cited in said communication from a foreign patent office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the present Information Disclosure Statement.

NOT A RESPONSE TO OFFICE ACTION

This paper is not a response to the outstanding Office Action dated May 12, 2003. A response to said Office Action will be timely filed in due course. This Information Disclosure Statement is being filed at this time in order to comply with 37 C.F.R. 1.97(e). That is, the present Information Disclosure

Statement is being filed within three-months of the mailing date of the European Search Report.

Since this paper is being filed with a proper Statement under CFR 1.97 (e), no USPTO processing fee is required for this Information Disclosure Statement.

It is respectfully requested that the Examiner consider the documents submitted herewith and return an initialed form PTO/SB/08A to confirm that the documents have been considered and made of record.

Respectfully submitted,

July 10, 2003

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